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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

DOROTHY TORRES,
Plaintiff

vs.

LOWE'S COMPANIES, INC. d/b/a LOWE'S,
a North Carolina Corporation; LOWE'S
HOME CENTERS LLC d/b/a LOWE'S, a
limited liability company; LOWE'S HOME
IMPROVEMENT, LLC d/b/a LOWE'S, a
limited liability company; DOES I through X;
and ROE ENTITIES I through X,

Defendants

Case No. 2:23-cv-00399-CDS-BNW

**ORDER OF DISMISSAL WITHOUT
PREJUDICE OF DEFENDANTS
LOWE'S COMPANIES, INC. AND
LOWE'S HOME IMPROVEMENT, LLC**

RECITALS

WHEREAS, Plaintiff DOROTHY TORRES ("Plaintiff") Complaint on file herein [ECF No. 1-2], which was removed to this Court by all of the Defendants on March 14, 2023, has asserted claims against three Lowe's-related entities, including Defendants LOWE'S COMPANIES, INC., LOWE'S HOME CENTERS, LLC, and LOWE'S HOME IMPROVEMENT, LLC.

WHEREAS, in an effort to prevent undue litigation in this matter and to reduce litigation costs for the parties, counsel for the parties have met-and-conferred in good faith concerning the corporate make-up of Lowe's-related entities and, without admission of liability of any kind, have discussed the proper Lowe's entity to serve as a party-defendant for purposes of the claims asserted

1 in Plaintiff's Complaint regarding the Lowe's store located at 4625 West Charleston Boulevard, Las
2 Vegas, Nevada 89102.

3 WHEREAS, the parties have reached agreement that Defendant LOWE'S HOME
4 CENTERS, LLC shall remain a party Defendant for the purpose of adjudicating Plaintiff's claims
5 and that Defendants LOWE'S COMPANIES, LLC and LOWE'S HOME IMPROVEMENT, LLC
6 should be dismissed from the present action.

7 WHEREAS, the parties have reached further agreement that the dismissal of Defendants
8 LOWE'S COMPANIES, LLC and LOWE'S HOME IMPROVEMENT, LLC shall be without
9 prejudice, and neither of these Defendants shall in the future assert a statute of limitations
10 defense in the event that Plaintiff should ever move to re-file claims against these Defendants in the
11 present action.

12 **STIPULATIONS**

13 Based upon the above recitals, and for good cause, the parties stipulate, by and through
14 their respective counsel, as follows:

15 **IT IS HEREBY STIPULATED AND AGREED** that Plaintiff DOROTHY TORRES'
16 Complaint shall be dismissed without prejudice as to only Defendants LOWE'S COMPANIES,
17 INC. and LOWE'S HOME IMPROVEMENT, LLC, with each party to bear its own costs and
18 attorney's fees; and

19 **IT IS HEREBY FURTHER STIPULATED AND AGREED** that in the event
20 Plaintiff should ever move to reassert claims against Defendants LOWE'S COMPANIES,
21 INC. and LOWE'S HOME IMPROVEMENT, LLC in the present action, these Defendants shall
22 not raise a statute of limitations defense.

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1 **IT IS HEREBY FURTHER STIPULATED AND AGREED** that in entering into
2 these Stipulations, no party is dismissing or waiving any other claim or defense to any claim in the
3 present action.

4 DATED this 15th day of November, 2023.

5 DATED this 15th day of November, 2023.

6 LEWIS BRISBOIS BISGAARD & SMITH
7 LLP

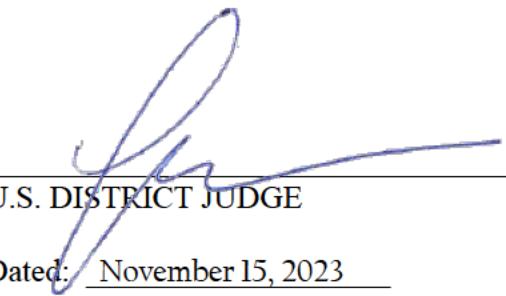
8 TANNER LAW FIRM

9 _____
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17 **ORDER**

18 Based upon the above recitals, the parties' stipulations, and for good cause
19 appearing, IT IS SO ORDERED.

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22 U.S. DISTRICT JUDGE

23 Dated: November 15, 2023